

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TODD LANCASTER,	:	
Petitioner	:	
	:	
v.	:	No. 1:23-cv-00869
	:	
	:	(Judge Rambo)
WARDEN OF LACKAWANNA	:	
COUNTY PRISON, <u>et al.</u>,	:	
Respondents	:	

ORDER

AND NOW, on this 13th day of March 2024, upon consideration of pro se Petitioner Todd Lancaster (“Petitioner”)’s petition for a writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254 (“Section 2254”) (Doc. No. 1), and the parties’ pending motions concerning Petitioner’s Section 2254 petition (Doc. Nos. 10, 14), and in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Respondents’ motion to dismiss Petitioner’s Section 2254 petition as untimely (Doc. No. 10) is **GRANTED** as to criminal docket CP-35-CR-001722-2012;
2. Petitioner’s Section 2254 petition (Doc. No. 1) is **DISMISSED** as untimely with respect to only criminal docket CP-35-CR-001722-2012;
3. The Court’s dismissal is without prejudice to Petitioner filing an amended Section 2254 petition challenging his remaining criminal dockets referenced in the above-captioned action (CP-35-CR-0001518-2012, CP-35-CR-0002359-2012, and CP-35-CR-0000067-2013);
4. Any amended Section 2254 petition shall be filed by Petitioner on or before **April 12, 2024**;

5. Petitioner's motion to grant his Section 2254 petition (Doc. No. 14) is **DISMISSED as moot**;
6. A certificate of appealability **SHALL NOT ISSUE** as to the Court's procedural ruling on criminal docket CP-35-CR-001722-2012;
7. The Clerk of Court is directed to **CLOSE** this case; and
8. Upon the filing of any amended Section 2254 petition regarding Petitioner's remaining criminal dockets (CP-35-CR-0001518-2012, CP-35-CR-0002359-2012, and CP-35-CR-0000067-2013), the Court will reopen the above-captioned action.

s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge